

Approved 8-16-2021

The City of Warwick
Docket of the City Council
Regular Public Hearing Meeting
For
May 17, 2021
@
7:00 P.M.

Stephen P. McAllister, President

VIRTUALLY VIA ZOOM APPLICATION

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Webinar ID: 978 8786 9794.

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will be muted again and will need to click on the Raise Hand icon or punch in *9 to ask another question.

If phoning in – punch *9 on the touchtone keypad. The moderator will indicate when it is your turn to comment/ask a question

Council President McAllister Reads Zoom Access into the Record

Roll Call: 9/0

Time: 7:00 PM

Salute To The Flag: Joe Boisvert

Howe introduces Joe Boisvert and provides information as to Mr. Boisverts businesses and his efforts to help the community. Pacos Tacos, Axelrods Fry Shack, Memphis Kel Beer, Ocean State Commissary and JBC Couriers – admires the drive and ambition of Mr. Boisvert – business has added value to the area. Councilman requests a moment of silence for Mr. Boisverts father, an army veteran who passed away on April 29, 2021.

McAllister requests Council Solicitor Kyla Pecchia gives and update on the current Executive Order re: In Person gatherings. Refers to the opening RI website.

McAllister thanks Mr. Boisvert – calls for a moment of silence for Joe’s Father Mr. Boisvert

Executive Communications

None

General Communications –

McAllister gives update to budget hearings – May 14th, 25th, 27th
May 26th will be a back-up days if needed. Meetings will begin at 4:00 PM

Ladouceur - has remained relatively silent on the issue of council meetings. Finds it most unfortunate on items we can and cannot do – seems to be somewhat selective – events political events, fundraisers etc. but council meetings are restricted to zoom, you tube and audio. Very unfortunate that members of the public cannot attend most important meeting – budget hearings Let’s get the public back in to the meetings – requests to pen to public for budget hearings if Governor lifts the EO.

- A. Acceptance of minutes from council meeting held on:
None

Public Comment

RULE 41. After the General Communications and prior to the Consent Calendar at each City Council Public Hearing meeting there shall be a fifteen minute period during which citizens may comment about Warwick city government issues subject to the following stipulations:

- a) The total period of time for public comment shall be 15 minutes.
Comments need to be brief in order to allow as many citizens as possible to participate.
- b) The topics for comment shall be issues directly affecting City government.
- c) City Council members will not respond to questions during the public comment period.
- d) The public comment session will terminate at the expiration of 15 minutes.
Waiver of this provision requires unanimous consent.

Phil D'Ercole – requests Council Solicitor clarify the EO
He has 2 neighbors that do not have the knowledge to be on the computer – how do we get the message to them. He provides neighbors with the information. We shouldn't be falling back on an EO.

Barbara Walsh – Please do not stop zoom. She is disabled and this is thrilling to listen to and to conduct business. Only need a phone # - not a computer. She is concerned about WFD OT. She refers to language in legislation that passed in 2019 – requests to move forward with legislation to House.

Rob Cote – Follow up to previous caller statement re: House Legislation 5662 regarding the FF bill. Several articles pertaining to this, heard a video recording of the Mayor – that FF are not manipulating the system that they are not gaming the system – for everyone's edification House bill 5662 passed beginning FY2020 – states this is theft and fraud and to suggest that the FF are not gaming system – has met w/ 3 law enforcement departments – shows in fact that FF are stealing from residents of this city. Still no YKSM Report – that was approved by council – no report has been Produced. Calls on Council/Mayor to produce the report of YKSM/Marcum. Why has this not been made public?

*****No objections to move to Unanimous Consent – Item PCR-77-21***

- 1. Announcement of Appointments – None
- 2. Appointments Requiring Confirmation – None

3. Consent Calendar –

1. PCR-74-21 Resolution Relative to Bids

(Councilman Howe)

Committee Report: (Finance): **Favorable as Amended**

Action: **Favorable**

Moved by: **Howe**

Seconded by: **Ladouceur, Foley**

Adopted As Amended

R-21-72

Consent calendar vote: 9/0

ITEMS REMOVED FROM THE CONSENT CALENDAR

PCR-78-21 – 2022-0147 Post-Type Fire Hydrants

Committee Report: (Finance): Favorable to Amend

Action: Favorable to Amend

Moved by: Howe

Seconded by: Foley

Vote: 9/0

Favorable as Amended

Howe

Foley, Gebhart

Vote: 9/0

Adopted As Amended

R-21-73

Unfinished Business

(Items to be considered may include second passage of ordinances not tabled, first passage of ordinances not tabled, resolutions, reports of committees on items referred and previously tabled, removal of items from the table, and action on items removed from the table)

1. **PCO-3-21 (Sub A) An Ordinance in regards to ensuring shopping carts remain on their originating property** (Councilman Sinapi)

Second Passage, As Amended

Committee Report: (Ordinance): **Favorable**

Action: **Favorable**

Moved by: **Sinapi**

Seconded by: **Howe, Foley, Gebhart**

Vote: **8/1 (Ladouceur)**

Second Passage

O-21-6

2. **PCO-10-20 An Ordinance Relative to Amendment of the Warwick Zoning Ordinance: Regulations for the Installation of Solar Energy System**
(Councilman Sinapi)

First Passage – Not Drafted

Committee Report: (Land Use): **Hold 6-7-2021**

3. **PCO-24-20 (Sub A) Ordinance in regards to modernization of Public Safety Equipment** (Councilman Howe)

First Passage, As Amended

Committee Report: (Finance): **To Withdraw**

Action: **To Withdraw**

Moved by:

Seconded by:

Vote: **vv**

4. **PCO-4-21 Ordinance in regards to amending the process and requirements as they apply to individuals claims** (Councilman Ladouceur, Councilman Howe, Council President McAllister)

First Passage, Not Drafted

Committee Report: (Ordinance): **Hold 7-19-2021**

5. **PCO-9-21 An Ordinance requiring the Warwick City Council to receive 60 days notice prior to taking a voted on any contract or benefit package in the City of Warwick** (Councilman Ladouceur)

First Passage, Not Drafted

Committee Report: (Ordinance): **Hold 7-19-2021**

6. **PCO-10-21 Ordinance Amending Section 40-33 of the City of Warwick Code of Ordinances – Adding Additional Penalties for Unlawful Use of Unregistered Off-Road Recreational Vehicles and Snowmobiles**
(Councilman Sinapi, Councilwoman Travis and Councilman Rix, Councilman Ladouceur, Councilman McElroy)

First Passage – Not Drafted

Committee Report: (Intergovernmental): **Hold 6-7-2021**

7. **PCO-11-21 An Ordinance amending Section 10-8 of the City of Warwick Code of Ordinances – Adding a prohibition on the sale of gasoline products to unregistered off-road recreational vehicles**

(Councilman Sinapi and Councilman Rix, **Councilwoman Travis, Councilman Ladouceur**)

First Passage, Not Drafted

Committee Report: (Ordinance): **Hold 6-7-2021**

8. **PCR-79-20 Resolution for Engineering to create Buckeye Brooke Project**
(Councilman Howe)

Committee Report: (Intergovernmental): **To Withdraw**

Action: **To Withdraw**
Moved by: **Howe**
Seconded by: **Foley**
Vote: **vv**

9. **PCR-41-21 Resolution in regards to establishing a Charter Commission**
(Councilman Ladouceur, **Councilwoman Travis, Councilman Sinapi**)

Not Drafted

Committee Report: (Ordinance): **Hold 7-19-2021**

New Business

1. **PCO-12-21 AN AMENDED AND RESTATED ORDINANCE OF THE CITY OF WARWICK APPROVING THE FINANCING OF THE DESIGN, CONSTRUCTION, EQUIPPING AND EXTENSION OF THE CITY'S SEWER LINES AND SEWAGE COLLECTION SYSTEM, INCLUDING BUT NOT LIMITED TO THE GOVERNOR FRANCIS III WASTEWATER COLLECTION SYSTEM, THE NORTHWEST GORTON POND WASTEWATER COLLECTION SYSTEM, THE O'DONNELL HILL AREA WASTEWATER COLLECTION SYSTEM, THE BAYSIDE I WASTEWATER COLLECTION SYSTEM, THE BAYSIDE II WASTEWATER COLLECTION SYSTEM, THE BAYSIDE III WASTEWATER COLLECTION SYSTEM AND THE OAKLAND BEACH INTERCEPTOR AND APPROVING THE ISSUANCE OF SEWER SYSTEM REVENUE BONDS AND NOTES THEREFOR IN AN AMOUNT NOT TO EXCEED \$33,000,000** (Councilwoman Travis)

First Passage

Committee Report: (Intergovernmental): **Favorable**

Action: **Favorable**
Moved by: **Travis**
Seconded by: **Howe, Foley, Gebhart, McElroy**
Vote: **9/0**

First Passage

2. PCO-13-21 An Ordinance in regards to Amending Section 40-66 Alarm Review Panel – 2 year terms (Council President McAllister)
First Passage

Committee Report: (Ordinance): **Favorable**

Action: **Favorable**
Moved by: **Travis**
Seconded by: **Howe, Foley, Travis**
Vote: **9/0**

First Passage

3. PCO-14-21 Ordinance restricting sale of firearms near schools and daycares (Councilman Sinapi, Council President McAllister, Councilman Foley, Councilman Rix, Councilman Howe, Councilman McElroy, Councilman Ladouceur, Councilwoman Travis, Councilman Gebhart)

First Passage, Not Drafted

Committee Report: (Public Safety): **Hold 6-7-2021**

4. PCR-71-21 Resolution in regards to erecting a stop sign on Pocahontas Dr. at the Intersection of Coldbrook Road (Councilman Foley)

Committee Report: (Public Safety): **Favorable**

Action: **Favorable**
Moved by: **Foley**
Seconded by: **Howe, Travis**
Vote: **9/0**

Adopted
R-21-74

5. PCR-72-21 A Resolution authorizing the Mayor of the City of Warwick to Enter the City of Warwick Retirement Board as a Plaintiff in the Matter of “City of Warwick Retirement Board vs Fibrogen Incorporated, Enrique Conterno, James A. Schoeneck and K. Peony Yu” (Council President McAllister)

Committee Report: (Intergovernmental): **Favorable**

Action: **Favorable**
Moved by: **McElroy**
Seconded by: **Rix, Howe**
Vote: **9/0**

Adopted
R-21-75

Unanimous Consent

1. **PCR-73-21 A Resolution Authorizing the Financing for the Acquisition of Public Works, Fire, Police, and Library Equipment and vehicles through a Lease Purchase Agreement in a principal amount not to exceed Six Million Five Hundred Thousand Dollars (\$6,500,000.00/100), Authorizing the Execution and Delivery of a Lease Agreement and Related Instruments, and Determining Other Matters in Connection Therewith**
(Council President McAllister and Councilman Howe)

Action: **Favorable**
Moved by: **Howe**
Seconded by: **McElroy, Foley**
Vote: **9/0**

Adopted
R-21-76

2. **PCR-75-21 Resolution Relative to Transfers, Supplemental Appropriations and Emergency Appropriations** (Council President McAllister and Councilman Howe)

Not Drafted

Action: **Hold 5-24-2021**
Moved by: **Travis**
Seconded by: **Foley**
Vote: **vv**

3. **PCR-76-21 Resolution Adopting and Setting the Tax Rate of the City of Warwick for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022**
(Council President McAllister and Councilman Howe)

Not Drafted

Action: **Hold 5-24-2021**
Moved by: **Travis**
Seconded by: **Howe**
Vote: **vv**

*******ITEM MOVED TO THE BEGINNING OF THE AGENDA**

4. **PCR-77-21 A Resolution in Regards to a Lease Between the City of Warwick and AAA Northeast For Municipal Office Space (Council President McAllister)**

Action: **Favorable**
Moved by: **Rix**
Seconded by: **Travis, Howe, Ladouceur, McElroy, Sinapi, Foley, Gebhart**
Vote: **9/0**

**Adopted
R-21-77**

Time: 8:36 PM – Returned to Committee's

Motion to Adjourn: Travis

Seconded by:

Vote: vv

Time: 10:34 PM

**Next Available Numbers: PCR-78-21
PCO-15-21**

Attest,



Lynn D'Abrosca
City Clerk

DOCKET SESSION

Rix – A Resolution to the General Assembly in relation to Computation of Municipal Employee Overtime (IG)

Ladouceur – requests to pull PCO15-19 (Sub A) out of the pending file

McAllister on behalf of the Mayor– A Resolution Ratifying the Warwick Retirement System's Engagement of Block and Leviton LLP in Connection with the plenary breach-of-fiduciary duty derivative action against certain of Facebook's officers and directors in Delaware's Court of Chancery

**Sinapi – A Resolution in Observance of Cancer Awareness Month (IG)
(Add all Council)**

Gebhart – A Resolution requesting the general assembly review language in RIGL 28-12-4.1 "Overtime Pay" and its fiscal impact on Rhode Island's cities and towns (Rix, Ladouceur)

10:38 PM

Individuals requesting interpreter services for the hearing impaired must notify the City Clerk's Office at 738-2006 ext. 6 at least 48 hours in advance of the hearing.